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NOT FOR CITATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

eMAG SOLUTIONS LLC.

**Plaintiff,**

No. C 02-1611 PJH

v.

## ORDER

TODA KOGYO CORPORATION, et al.,

## Defendants.

18 The court is in receipt of a letter dated December 15, 2005, from counsel for plaintiff  
19 eMag Solutions LLC, advising the court of plaintiff's intent to notice a motion for certification of  
20 a settlement class and a motion for preliminary approval of a partial class action settlement, to  
21 be heard on February 8, 2006. The defendants involved in this settlement are Ishigara  
22 Sangyo Kaisha, Ltd.; ISK Americas, Inc.; ISK Magnetic Inc.; and Ishihara Corporation USA  
23 ("the ISK defendants").

With regard to the proposed motion for preliminary approval of settlement, the court requests that plaintiff include some discussion of whether approval of a partial class action settlement will be in the interests of judicial economy, in view of the fact that an additional motion or motions for approval of a partial class action settlement may be necessary with regard to the remaining defendants, with the attendant hearings and the requirement of notice

1 to the class.

2 In addition, because plaintiff's assertions of antitrust liability are based in on a theory of  
3 conspiracy involving all the defendants, the court will require that the non-ISK defendants be  
4 permitted to file oppositions to any of the proposed provisions for partial class action  
5 settlement.

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7 **IT IS SO ORDERED.**

8 Dated: December 16, 2005



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9 PHYLIS J. HAMILTON  
10 United States District Judge

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